

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |                               |
|--|---|-------------------------------|
| -----                                      | X |                               |
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| UNITED STATES OF AMERICA,                  | : |                               |
|  | : |                               |
| Plaintiff,                                 | : |                               |
|  | : | <u>JUDGMENT OF FORFEITURE</u> |
| -v.-                                       | : |                               |
|  | : | 20 CIV. 6173 (PGG)            |
| \$38,406,717.42 IN UNITED STATES CURRENCY, | : |                               |
|  | : |                               |
| Defendant- <i>in-rem</i> .                 | : |                               |
|  | : |                               |
| -----                                      | X |                               |

WHEREAS, on or about August 6, 2020, the United States of America (the “United States” or the “Government”) filed a Verified Complaint for Forfeiture (“Verified Complaint”) seeking to forfeit \$38,406,717.42 in United States currency (the “Defendant Funds”) as constituting proceeds of violations of the federal Anti-Kickback Statute in pursuant to Title 18, United States Code, Section 981(a)(1)(C). (D.E. 1);

WHEREAS, about June 29, 2020, Novartis and the United States entered into a Stipulation and Order of Settlement and Dismissal (the “Stipulation”) in *United States, et al. ex rel. Bilotta v. Novartis Pharmaceuticals Corp.* (“Novartis”), No. 11 Civ. 071 (PGG), wherein, *inter alia*, Novartis agreed to forfeit \$38,406,717.42, (the “Defendant Funds”), to the United States as proceeds of Novartis’s violations of the federal Anti-Kickback Statute;

WHEREAS, on or about July 21, 2020, Novartis transferred the Defendant Funds to the United States Marshals Service in the Southern District of New York;

WHEREAS, beginning on or about August 14, 2020, and continuing through September 12, 2020, the Government published notice of the Verified Complaint against the

Defendant Funds, on the official government internet site, [www.forfeiture.gov](http://www.forfeiture.gov) for at least 30 consecutive days, and proof of such publication was filed with the Clerk of this Court on October 15, 2020 (D.E. 4).

WHEREAS, as set forth in Rule G(4)(a)(ii) and Rule G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, the notice of forfeiture specified the Defendant Funds and the intent of the United States to forfeit and dispose of the Defendant Funds, thereby notifying all third parties of their right to file a claim to adjudicate the validity of their alleged legal interest in the Defendant Funds, within sixty days from the first day of publication of the Notice on the official government internet site;

WHEREAS, on or about August 14, 2020, the Government sent direct notice of the Verified Complaint to the following counsel for Novartis via electronic mail:

Evan R. Chesler, Esq.  
Rachel G. Skaistis, Esq.  
Benjamin Gruenstein, Esq.  
Cravath, Swaine, & Moore LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, New York 10019  
Email: [echesler@cravath.com](mailto:echesler@cravath.com)  
[rskastis@cravath.com](mailto:rskastis@cravath.com)  
[bgruenstein@cravath.com](mailto:bgruenstein@cravath.com)

James E. Miller  
Laurie Rubinow  
Shepherd Finkelman Miller & Shah, LLP  
65 Main Street  
Chester, CT 06412  
Email: [jmiller@sfmslaw.com](mailto:jmiller@sfmslaw.com)  
[lrubinow@sfmslaw.com](mailto:lrubinow@sfmslaw.com)

WHEREAS, Novartis is the only individual and/or entity known to the Government to have a potential interest in the Defendant Funds; and

WHEREAS, no claims or answers have been filed or made in this action and no parties have appeared to contest the action, and the requisite time periods in which to do so, as set forth in Title 18, United States Code, Section 983(a)(4)(A) and Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Defendant Funds shall be, and the same hereby is forfeited to the Plaintiff United States of America.
2. The United States Marshals Service (or its designee) shall dispose of the Defendant Funds, according to law.
3. The Clerk of the Court shall forward four certified copies of this Judgment of Forfeiture to Assistant United States Attorney, Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York, 10007.

The Clerk of the Court is directed to close the case.

Dated: New York, New York  
October 16, 2020

SO ORDERED:



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THE HONORABLE PAUL G. GARDEPHE  
UNITED STATES DISTRICT JUDGE